



**STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION**

ENVIRONMENTAL DIVISION
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Notice: Permit for A Project within Highway Right-of-Way

Effective: November 15th, 2019

The Highway Beautification Office is announcing the temporary use of a permitting opportunity for a Project within the Highway Right-of-Way. This permitting opportunity is available to Billboard Operators within the State of Tennessee who have formerly been regulated under TCA § Title 54 Chapter 21 and whose Outdoor Advertising device was legally permitted and in good standing as of September 10th, 2019.

Due to a recent ruling from the 6th Circuit Court of Appeals the State Billboard Law has been declared unconstitutional. At this time, the Department of Transportation has indefinitely suspended the regulatory enforcement of the Outdoor Advertising and vegetation Control Programs. It is the Department of Transportation's intent to provide an opportunity to allow temporary usage of this permitting system to cut, trim and/or remove vegetation along the State Right-of-Way for visibility of an outdoor advertising device.

The Department of Transportation is allowing this opportunity in good faith, but please be aware that no individual, company or organization has an entitlement to cut, trim and/or remove vegetation on the State Right-of-Way without the expressed permission from TDOT. The final determination as to whether a permit will be issued or not be issued as well as the work authorized will be solely up to the Department of Transportation. Requests should be limited to maintaining current visibility. All requests for a permit will be individually reviewed based upon the nature of the request.

To begin this process, the application for a Project within Highway Right-of-Way is currently available for download from the Highway Beautification website, <https://www.tn.gov/tdot/environmental-home/environmental-highway-beautification-office/beautification-office-vegetation-control-program.html>. A copy has also been included for your convenience.

Additional information has been posted on the website for permit requirements, completing the application and submitting your completed request. We have also included a copy of these documents with this mailing.

Should you have any questions, please contact our office at (615)741-2877.